

PROB 12C
(7/93)

Report Date: March 19, 2012

United States District Court

**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

for the

MAR 20 2012

Eastern District of Washington

**JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Alfred L. Hawk

Case Number: 2:09CR02034-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 12/17/2010

Original Offense: Conspiracy, 18 U.S.C. § 371
Taking, Transporting, Offering and Selling Eagles, 16 U.S.C. § 668(a)
Transporting and Selling Wildlife with a Market Value in Excess of \$350,
14 U.S.C. §§ 3372(a) & 3373(d)(1)(B)
Taking, Transporting Offering and Selling Eagles, 16 U.S.C. § 668(a)

Original Sentence: Prison - 6 Months Type of Supervision: Supervised Release
TSR - 24 Months

Asst. U.S. Attorney: Timothy J. Ohms Date Supervision Commenced: 8/10/2011

Defense Attorney: Blaine T. Connaughton Date Supervision Expires: 8/9/2013

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Hawk was charged with driving under the influence, Yakima District Court cause number 881497 on February 25, 2012.

On February 25, 2012, a Zillah police officer observed a vehicle with modified exhaust and was extremely loud. The officer contacted the driver of the vehicle, identified as Mr. Alfred Hawk, and advised him of the reason for the stop. While speaking with Mr. Hawk, the officer noticed the defendant had bloodshot watery eyes, and there was a strong odor of intoxicants emanating from inside the vehicle. Mr. Hawk was asked if he had been drinking, to which he responded no. Mr. Hawk agreed to do perform a sobriety test.

Prob12C

Re: Hawk, Alfred L.

March 19, 2012

Page 2

According to the report, while the officer explained the test to Mr. Hawk he observed the defendant swaying. Mr. Hawk agreed to provide a breath sample which displayed a reading of .172 percent. The officer took Mr. Hawk into custody and requested a Washington State Patrol unit to assist in the completing of the driving under the influence process.

The officer checked Mr. Hawk's vehicle by looking through the back window and observed an open 18-pack of Coors Light beers as well as an unopened 18-pack of Coors Light.

Mr. Hawk was transported to the Wapato City Jail where he was released to a Washington State trooper to complete the driving under the influence process. The trooper explained the process to Mr. Hawk and the defendant then refused to provide a breath sample.

According to the Yakima District Court docket, Mr. Hawk's next court hearing is scheduled for April 9, 2012.

- 2 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Mr. Hawk was found under the influence of alcohol on February 25, 2012.

According to the Zillah Police Department narrative report, Mr. Hawk submitted to a breath test using portable Breathalyzer, which resulted in a reading of .172 percent blood alcohol content. Additionally, Mr. Hawk admitted he consumed seven to eight beers between the hours of 10:30 p.m. and 2 a.m.

- 3 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Hawk failed to report law enforcement contact within 72 hours of being arrested for driving under the influence on February 25, 2012.

On February 27, 2012, this officer received a notice that Mr. Hawk had been arrested and booked into the Yakima County Jail for driving under the influence. On February 28, 2012, this officer went to the defendant's residence and he was not located. A message was left with his girlfriend directing Mr. Hawk to call this officer. On February 29, 2012, Mr. Hawk called and he was confronted regarding the above-noted charge, to which he admitted.

Prob12C

Re: Hawk, Alfred L.

March 19, 2012

Page 3

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

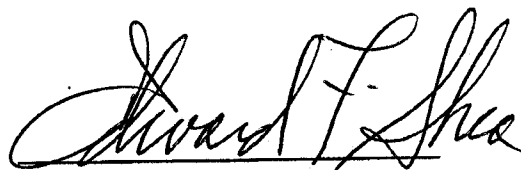
Executed on: 03/19/2012

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

3/19/12
Date